

114.3 CMR 7.00: PSYCHIATRIC DAY TREATMENT CENTER SERVICES

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7.01: General Provisions

(1) Scope, Purpose, and Effective Date. 114.3 CMR 7.00 shall govern the rates of payment to be used by all governmental units in making payment to eligible psychiatric day treatment centers which provide psychiatric day treatment center services to publicly-aided individuals. 114.3 CMR 7.00 shall become effective on October 1, 2003. The rates set forth in 114.3 CMR 7.00 also apply to individuals covered by M.G.L. c. 152 (the Worker's Compensation Act)

(2) Authority. 114.3 CMR 7.00 is adopted pursuant to M.G.L. c.118G. and M.G.L. c.152 § 13.

7.02: General Definitions

Meaning of Terms. As used in 114.3 CMR 7.00, unless the context requires otherwise, terms shall have the meanings ascribed in 114.3 CMR 7.02.

Division. The Division of Health Care Finance and Policy.

Eligible Provider. A psychiatric day treatment center which meets the conditions of participation that have been or may be adopted by a governmental unit purchasing psychiatric day treatment center services.

Governmental Unit. The Commonwealth of Massachusetts, or any of its departments, agencies, boards, commissions or political subdivisions.

Pre-admission Evaluation Visit . Comprehensive evaluation of at least one hour by a professional to determine the need for psychiatric day treatment program services and to design a treatment plan.

Psychiatric Day Treatment Center. A clinic providing a psychiatric day treatment program and which is free standing, that is, which is not financially or physically an integral part of a hospital.

Psychiatric Day Treatment Program. A planned combination of diagnostic, treatment, and rehabilitative services provided to mentally or emotionally disturbed persons who need more active or inclusive treatment than is typically available through a weekly visit to a mental health center or hospital outpatient department, but who do not need full-time hospitalization or institutionalization. Such a program utilizes multiple, intensive, and focused activities in a supportive environment to enable such persons to acquire more realistic and appropriate behavior patterns, attitudes, and skills for eventual independent functioning in the community.

Publicly-Aided Individual. A person for whose medical and other services a governmental unit is in the whole or in part liable under a statutory program.

Visit. A face-to-face encounter between a client and one or more staff members of a psychiatric day treatment center. .

7.03: RateProvisions and Maximum Allowable Rates

(1) Effect of 114.3 CMR 7.00. The rates of payment under 114.3 CMR 7.00 shall constitute full compensation for psychiatric day treatment center services provided to publicly-aided and Workers' Compensation clients as well as full compensation for necessary administration and professional supervision associated with client care.

(2) Rates of Payment. The service codes and maximum allowable rates of payment for authorized services shall be as follows:

<u>Code</u>	<u>Rate</u>	<u>Service</u>
H2012	\$10.34	Behavioral health day treatment, per hour
H2012-U1	\$35.18	Behavioral health day treatment, per hour - Preadmission evaluation visit
90887	\$35.18	Interpretation or explanation of psychiatric, other medical examinations and procedures, or other accumulated data to family or other responsible persons, or advising them how to assist patient
H2012	\$35.18	Behavioral health day treatment, per hour (provided in the home)(Must use this code with a place of service indicator of 12 for electronic claims or 02 for paper claims)

(3) Individual Consideration. Rates of payment to eligible providers for services authorized but not listed herein, or authorized services performed in exceptional circumstances shall be determined on an Individual Consideration (I.C.) basis by the governmental unit upon receipt of a bill which describes the services rendered.

(4) Criteria for Determining Rates Under Individual Consideration. The determination of rates of payment for authorized I.C. procedures shall be in accordance with the following criteria:

- (a) Time required to perform the service;
- (b) Degree of skill required for service rendered;
- (c) Severity and/or complexity of the client's disability;
- (d) Policies, procedures, and practices of other third party purchasers of care;
- (e) Such other standards and criteria as may be adopted from time to time by the Division .

(5) Limits on Allowable Fees. In no event shall an eligible provider bill or be paid by the governmental unit in excess of the eligible provider's usual charge for the services rendered to the general public.

7.04: Reporting Requirements

(1) Annual Reports. Annual, and complete Uniform Financial Reports (“UFRs”) must be filed through the Internet by eligible providers according to the terms for filing set by the Operational Services Division within the Audit and Preparation Manual portion of the UFR for the given year. .

(2) Additional Information. All providers subject to 114.3 CMR 7.00 shall file such additional information as the Division may from time to time reasonably require.

(3) Failure to File Timely Reports. Failure on the part of a provider to submit accurate information within the time as required by 114.3 CMR 7.04 (1) and (2) , or to submit other acceptable data and statistics which may be required, may result in the delay, reduction or cancellation of the individual provider's rates to which such information is applied, as well as application of other sanctions provided by law.

7.05: Severability

The provisions of 114.3 CMR 7.00 are severable, and if any provision of 114.3 CMR 7.00 or application of such provision to any psychiatric day treatment center or any circumstances shall be held to be invalid or unconstitutional, such invalidity shall not be construed to affect the validity or constitutionality of any remaining provisions of 114.3 CMR 7.00 or application of such provisions to psychiatric day treatment centers or circumstances other than those held invalid.

REGULATORY AUTHORITY

114.3 CMR 7.00: M.G.L. c. 118G and MG.L. c.152 § 13.